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UBER TECHNOLOGIES, INC.
14 and OTTOMOTTO LLC

15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 SAN FRANCISCO DIVISION

18 WAYMO LLC,
19 Plaintiff,
20 v.
21 UBER TECHNOLOGIES, INC.,
OTTOMOTTO LLC; OTTO TRUCKING LLC,
22 Defendants.
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24

Case No. 3:17-cv-00939-WHA

**DECLARATION OF MICHELLE
YANG IN SUPPORT OF OTTO
TRUCKING'S ADMINISTRATIVE
MOTION TO FILE UNDER SEAL
EXHIBIT 1 TO THE DECLARATION
OF HONG-AN VU IN SUPPORT OF
ITS REPLY IN SUPPORT OF
MOTION TO ENFORCE THE
COURT'S JUNE 7, 2017 ORDER
(DKT. 1040 (CORRECTED AT DKT.
1062))**

25 Trial Date: October 10, 2017
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1 I, Michelle Yang, declare as follows:

2 1. I am an attorney at the law firm of Morrison & Foerster LLP. I make this
 3 declaration based upon matters within my own personal knowledge and if called as a witness, I
 4 could and would competently testify to the matters set forth herein. I make this declaration in
 5 support of Otto Trucking's Administrative Motion to File Under Seal Exhibit 1 to the Declaration
 6 of Hong-An Vu in Support of its Reply in Support of Motion to Enforce the Court's June 7, 2017
 7 Order (Dkt. 1040 (Corrected at Dkt. 1062)).

8 2. I have reviewed the following documents and confirmed that only the portions
 9 identified below merit sealing:

Document	Portions to Be Filed Under Seal
Exhibit 1 to the Declaration of Hong-An Vu (Dkt. 1062-3) (Corrected version of Dkt. 1040-3)	Blue-highlighted portions

10 3. The blue-highlighted portions on pages 142, 144, 146, 150, 152, 153, and 154 of
 11 Exhibit 1 contain highly confidential information regarding financial terms of a business
 12 agreement and financial information of Ottomotto, including information about the structure,
 13 economic value, detailed monetary terms, and negotiations of business agreements with
 14 counterparties who have ongoing relationships with Defendants. This highly confidential
 15 information is not publicly known, and its confidentiality is strictly maintained. If this
 16 information were to be released to the public, Defendants' competitors and counterparties would
 17 have insight to how Defendants structure their business agreements, including what potential
 18 monetary terms have been offered, which would allow them to tailor their own business
 19 negotiation strategy, such that Uber's competitive standing could be harmed.

20 4. The blue-highlighted portions on pages 144, 145, 146, 147, 150, 151, 152, and 153
 21 of Exhibit 1 also contain highly confidential information regarding Uber's competitive analysis of
 22 the self-driving market, strategic priorities, and development of its own detailed market strategy,
 23 including Uber's internal development timeline estimate and internal analyses of potential
 24 business and production models. This highly confidential information is not publicly known, and

1 its confidentiality is strictly maintained. If this information were to be released to the public,
2 Defendants' competitors and counterparties would have insight to how Defendants' analysis of
3 business opportunities, strategic priorities, development timelines, and how Defendants have
4 chosen to strategically position themselves within this market. This would allow competitors to
5 understand Uber's LiDAR development and business strategy, and allow them to tailor their own
6 LiDAR development, such that Uber's competitive standing could be harmed.

7 5. The blue-highlighted portions on pages 145, 146, and 153 of Exhibit 1 also contain
8 actual and projected component or device pricing, estimated costs relating to such components or
9 devices, the identification of a confidential vendor of Uber, and projected unit numbers. This
10 highly confidential information is not publicly known, and its confidentiality is strictly
11 maintained. If this information were released to the public, Defendants' competitors could tailor
12 their LiDAR strategy to target this component price or this confidential vendor, such that they
13 obtain a competitive advantage against Uber.

14 6. Defendants' request to seal is narrowly tailored to those portions of Otto
15 Trucking's Exhibit 1 that merit sealing.

16 I declare under penalty of perjury under the laws of the United States that the foregoing is
17 true and correct. Executed this 1st day of August, 2017, at Washington, D.C.

18 _____
19 */s/ Michelle Yang*
20 Michelle Yang
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ATTESTATION OF E-FILED SIGNATURE

I, Arturo J. González, am the ECF User whose ID and password are being used to file this Declaration. In compliance with General Order 45, X.B., I hereby attest that Michelle Yang has concurred in this filing.

Dated: August 1, 2017

/s/ *Arturo J. González*

Arturo J. González